

MAY 30 2008

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA**

**U.S. DISTRICT COURT
WESTERN DISTRICT OF NC**

| | | |
|--------------------------|---|---------------------------|
| UNITED STATES OF AMERICA |) | DOCKET NO. 5:06CR53-Britt |
| |) | 3:06CR402 |
| vs. |) | |
| |) | (UNDER SEAL) |
| DONALD E. OEHMKE |) | |
| _____ |) | |

MOTION TO SEAL

NOW COMES the United States of America, by and through Gretchen C.F. Shappert, United States Attorney for the Western District of North Carolina, and respectfully requests that the Court seal the Government's Motion for a Downward Departure Pursuant to U.S.S.G. § 5K1.1. In support of this Motion, the Government states that the Motion contains information regarding ongoing investigations of other subjects.

WHEREFORE, the Government respectfully requests that this Motion to Seal be granted.

This the 30th day of May, 2008.

GRETCHEN C.F. SHAPPERT
UNITED STATES ATTORNEY


s/ Matthew T. Martens

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CERTIFICATE OF SERVICE

I hereby certify that on this the 30th day of May, 2008, the foregoing pleading was served on the opposing parties in this action by causing the same to be sent by e-mail to:

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s/ Matthew T. Martens